

**Introduced by Senator Walters**

February 24, 2012

---

An act to amend Sections 6420, 6421, and 6425 of, and to add Section 6421.5 to, the Fish and Game Code, relating to marine resources.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1447, as introduced, Walters. Artificial reefs.

Existing law establishes a California Artificial Reef Program, administered by the Department of Fish and Game, to include the placement of artificial reefs in state waters and a prescribed study of existing successful reefs and new reefs to determine design criteria. "Artificial reef" is defined for that purpose to mean manmade or natural objects intentionally placed in selected areas of the marine environment to duplicate those conditions that induce production of fish and invertebrates on natural reefs and rough bottoms, and that stimulate the growth of kelp or other midwater plant life that creates natural habitat for those species.

This bill would delete that definition and, instead, define "artificial reef" to mean a structure that is constructed or placed in certain waters for the purposes of enhancing fishery resources and commercial and recreational fishing opportunities and to provide recreational SCUBA diving opportunities. The bill would require the department to designate a California State Artificial Reef Coordinator with specified responsibilities under the bill. The bill would authorize the department to impose a fee on any person or entity seeking to place or convert any object or structure as an artificial reef, not to exceed the actual costs to the department of evaluating the proposed project.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 6420 of the Fish and Game Code is amended to read:

6420. The Legislature finds and declares all of the following:

(a) ~~Declines in various southern California marine species of fish have adversely affected the sport and commercial fishing industry~~ California's extraordinary marine biological diversity is a vital asset to the state and the nation. The diversity of species and ecosystems found in the ocean waters off the state is important to public health and well-being, ecological health, and ocean-dependent economic activities.

(b) Efforts to enhance these species through the placement of artificial reefs need to be investigated *and encouraged*.

(c) A program of artificial reef research and development, including reef design, placement, and monitoring, is in the public interest and can best be accomplished under the administration of the department with the cooperation and assistance of the University of California, the California State University, other established, appropriate academic institutions, and other organizations with demonstrated expertise in the field.

(d) A state artificial reef research and construction program under the administration of the department is necessary to coordinate ongoing studies and construction of artificial reefs in waters of the state *and the adjacent exclusive economic zone*.

SEC. 2. Section 6421 of the Fish and Game Code is amended to read:

6421. For purposes of this article, the following terms have the following meaning:

(a) "Artificial reef" means ~~manmade or natural objects intentionally placed in selected areas of the marine environment to duplicate those conditions that induce production of fish and invertebrates on natural reefs and rough bottoms, and that stimulate the growth of kelp or other midwater plant life which creates natural habitat for those species~~ a structure that is constructed or placed in waters covered under Title 33 of the United States Code for the purposes of enhancing fishery resources and commercial and recreational fishing opportunities and to provide recreational SCUBA diving opportunities.

(b) “Production” means increases in the biomass of a species or number of species.

(c) “Program” means the California Artificial Reef Program.

SEC. 3. Section 6421.5 is added to the Fish and Game Code, to read:

6421.5. (a) The department shall designate a California State Artificial Reef Coordinator, who shall coordinate artificial reef research and development, including reef design, placement, and monitoring, including those provisions of Chapter 5.5 (commencing with Section 6600) pertaining to the conversion of offshore oil structures to artificial reefs. Nothing in this section requires the establishment of an additional position within the department, but the department may designate an existing position to comply with this subdivision.

(b) The California State Artificial Reef Coordinator shall be responsible for liaison with, and coordination of, the state and federal agencies involved in research, siting, placement, marking, and maintenance of artificial reefs in state waters, including, but not limited to, decommissioning of offshore oil structures, ships, structures, and other materials of opportunity intentionally placed as artificial reefs. Nothing in this section authorizes ocean dumping.

SEC. 4. Section 6425 of the Fish and Game Code is amended to read:

6425. (a) It is the intent of the Legislature that not more than five hundred thousand dollars (\$500,000) shall be allocated to the program for the 1985–86 fiscal year.

(b) It is the intent of the Legislature that future sources of funding for the program may include, but are not limited to, the Fish and Game Preservation Fund, the California Environmental License Plate Fund, the Wildlife Restoration Fund, recreational bond act funds, federal grants-in-aid, county fish and game propagation funds, and private donations.

*(c) If funds pursuant to subdivisions (a) and (b) are insufficient, the department may impose a fee on any person or entity seeking to place or convert any object or structure as an artificial reef, not to exceed the actual costs to the department of evaluating the proposed project. The department shall not duplicate the activities*

- 1 *of another agency for the same project, but shall cooperate in the*
- 2 *sharing of data to the extent possible.*

O